

Monday, June 5

6/5 3:53 PM

Hi Lauren- are you available to talk this afternoon?

Sorry wrapping up a phone call now, will be free in a couple



Ziegler, Lauren 6/5 3:54 PM

ok, I'm only here for a few, but feel free to give a call when you're done

6/5 5:02 PM

I talked to Donnie and it went mostly as you expected- a lot of listening. His requested action item of me was "to do something" about CWP and his perception that CWP is harassing him unfairly. Joe Brogan was also on the line and voiced concern about their special use permit getting revoked by the Town due to these alleged violations. Joe wanted to know what the path forward is for enforcement (what DOJ is going to do about the alleged violations) and I didn't provide answers, I just said you were working on correspondence currently.



Ziegler, Lauren 6/5 5:03 PM

interesting

ok

thanks for the summary



Wednesday, June 7

6/7 8:22 AM

Gm! Thanks so much for sending that email to CWP. Hopefully that will clear things up.

I'm wondering if you have time to quick chat prior to my meeting with Joe Petty at 9:30. Was just hoping to provide him with 1) an update on the property conveyance situation and 2) scheduling the big stakeholders meeting

Monday, June 12

6/12 9:08 AM

Hi Lauren- I'm just getting caught up on the Honeywell emails. Do you think I should try to schedule a meeting for today or should we give ourselves some time to think?

6/12 12:54 PM

I'm now in contact with VDH who is seeking to understand more about the "environmental conditions and land use restrictions" at the Honeywell site. Lisa cautioned me against sharing documents that may not be appropriately redacted or only displaying a partial narrative of work completed at the site. Do you think I could copy/ paste a general background, some statements about removal work undertaken, and a disclaimer that this isn't all the info and would they like to see anything

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6/12 2:55 PM

Hi Lauren- who is your supervisor?

Will requested I hold a meeting with us and the two of you

(regarding UECA/ Honeywell)



Ziegler, Lauren 6/12 2:56 PM

Suzanne Parent



6/12 2:56 PM

Thanks!



Ziegler, Lauren 6/12 2:57 PM

She is acting RC today and has other commitments, but I sent her a write up of the situation and am awaiting her availability to discuss (hopefully by COB)

6/12 3:04 PM

Thank you! I am going to send an invite for 9-10 tomorrow if that works for you.

Would you be able to support me and Lisa in the briefing tomorrow? I can take the lead but want to make sure I don't miss any of the nuances.



Ziegler, Lauren 6/12 3:12 PM

yes, of course. it is a morass.

Tuesday, June 13

6/13 8:54 AM

Hi Lauren- thanks for your contributions on the ppt. Do you mind taking the lead on slides 4/5? I'm not that familiar with the material you added.

#### Timeline Relating to Honeywell UECA

- 1998 - AO for removal on Honeywell
- 1999 - Consent Decree for Aytex Site
  - FMC to use best efforts to obtain an easement running with the land on properties that granted access rights for the purpose of implementing the CD and granted restrictions EPA determined are necessary to implement or ensure the protectiveness of the response actions.
- 1999 - Conservation and Environmental Protection Easement and Restrictive Covenants
  - pertains to Honeywell property and the Aytex Site; includes various access provisions, whereas clauses, and use restrictions

#### Timeline Relating to Honeywell UECA

- Aytex Site Remedial actions underway: OU10 ROD (2004), OU7 ROD (2010) pertain to the Basin Side; 1999 Conservation Easement mentioned, and the selected remedies include institutional controls, though there is no reference to necessity for ICs on Honeywell Property
- 2012 -- Second ESD re: OU7, OU8, and OU10 -- EPA replacing the existing single Conservation Easement with four Conservation Easements (ownership changes and remedial impact on use restriction)
- 2014 -- minor modification to OU7 and OU8: replace existing Conservation Easement and ICs portion of remedial action by making five UECA's environmental covenants implemented under VA UECA, which was passed in 2010



Ziegler, Lauren 6/13 8:55 AM  
yes that's fine

6/13 1:18 PM

Would you like to take the lead on the letter, or would you like me to draft something up for you to edit?

my impression was it would be pretty short, I assume a page at most?

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Also- I am speaking with the former OSC, Eduardo at 2pm. I'm going to ask him if there was waste left in place. Is there anything you'd like me to ask him?



Ziegler, Lauren 6/13 1:36 PM

I think RPMs often take a first crack at drafting correspondence, but I don't mind doing so here. I think I understand what we were all were discussing regarding content and can get it going

unless you want to take the lead; I don't really care but don't mind starting it

I would think the AO and closeout report in tandem should indicate any contamination left in place and the cleanup level, but no harm in asking about waste left in place/contamination/risk stemming from property

6/13 1:46 PM

Can I call you in a couple minutes?



Ziegler, Lauren 6/13 1:46 PM

yep, nothing urgent.

Wednesday, June 14

6/14 12:12 PM

Hi Lauren- I'm sorry to be reaching out daily about Avtex but I have hopefully a couple of very short easy questions for you prior to our site walk/meeting tomorrow.

1) Tiffany Kung of FMC expressed surprise that we were planning on doing an ESD and was asking about the timeframe, etc. She said typically ESDs are done prior to the work and was confused about the timeline since the work has been done already. She was asking about the public comment period and how that would play into things.

Actually I'll leave the rest for a call when you're available

Monday, July 3

7/3 11:30 AM

Thanks for following up to our conversation with the draft letter and email to me/Lisa/Will and Suzanne. I think the letter looks great and I think it makes sense to send out. However I don't think Will was able to review before he went out on leave so I think it's something we'll have to pick up next week (since we need his signature).

I'd like to call Donnie back today and let him know we're sending the letter but that seems slightly risky since I'm not 100% sure Will supports it and is going to sign.

Thursday, July 6

7/6 12:00 PM

Hi- hope you had a nice holiday. Do you think it's ok if I call Donnie and let him know we will be issuing a letter? Or should I wait until Will gets back/ signs...



Ziegler, Lauren 7/6 12:37 PM

I think it's risky to acknowledge the letter's content if you think there's a possibility Will will not agree and not want to sign/send out

But I think you can call him back, though you'd likely mostly be listening I imagine

I have to run to a blood draw but should be back in ~30 mins and we can talk if you'd like

Friday, July 7

7/7 1:52 PM

Thanks so much for your edits yesterday! Seems like Joe is going to be proactive in trying to resolve. I appreciate the help- I know it's been time consuming.



Ziegler, Lauren 7/7 1:53 PM

Of course. Happy to help. We're all in this together.



Monday, July 10

7/10 9:55 AM

Hi Lauren- given Will's supportive email this morning, I'm going to give Donnie a call to let him know of the letter.

Is there any chance I can merge you in to the call to make sure I'm communicating the content properly? Understood if you're too busy!



Ziegler, Lauren 7/10 9:56 AM

OK. I was just emailing you. Are you still having a meeting with Will this afternoon?

Typically if you invite your manager, I should also include my branch chief in attending



Monday, July 10

7/10 9:55 AM

Hi Lauren- given Will's supportive email this morning, I'm going to give Donnie a call to let him know of the letter.

Is there any chance I can merge you in to the call to make sure I'm communicating the content properly? Understood if you're too busy!



Ziegler, Lauren 7/10 9:56 AM

OK. I was just emailing you. Are you still having a meeting with Will this afternoon?

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7/10 9:57 AM

I think so? I can ask him if he wants to cancel. It probably makes sense to cancel.

Ziegler, Lauren 7/10/2023 9:57 AM

Typically if you invite your manager, I should also include my branch chief in attending

Right!! Ok I will try to cancel



Ziegler, Lauren 7/10 9:58 AM

But I think Suzanne's perspective is probably conveyed in the email she sent him, but if you have additional legal questions, we should join. I'm not trying to encourage cancellation just clarify since I was mid-response to the invite and trying to understand if I should forward to Suzanne

If Will is going to send out the letter today, it may make sense to send it out and let it speak for itself rather than trying to describe its content to Donnie over the phone

7/10 10:01 AM

Very true, I think describing over the phone could be confusing for both of us. I'll ask Will if he can sign today and email it to Dr Ivers/ Allison Austin of CWP and cc Donnie and Joe Brogan?

I'll also confirm whether or not the afternoon meeting will happen based on Will's preference



Ziegler, Lauren 7/10 10:02 AM

The various recipients are listed as ccs with their email addresses



I believe it included all of the parties involved in the dialog (i.e. CWP, VADEQ, Donnie/Joe Brogan) as they were all involved in

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👍 1



Ziegler, Lauren 7/10 10:02 AM

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👍 1

I believe it included all of the parties involved in the dialog (i.e. CWP, VADEQ, Donnie/Joe Brogan) as they were all involved in ongoing correspondence

Again, I'm not trying to discourage a meeting, so please don't take as such. Just trying to clarify the content of the meeting and if I'm attending, I should invite Suzanne as well

👍 1

7/10 10:04 AM

I totally understand

👍 1

7/10 10:41 AM

I think I am going to be brief in the wording of my email to CWP/Poe's Rivers Edge.

Good morning all,

Please see the attached letter which is being issued from EPA to The Clean Water Project. The property owner, Poe's Rivers Edge, LLC is cc'd so they can stay apprised of EPA's current position, which is outlined in the attached letter.

I encourage anyone with questions or comments to reach out to me via email or phone.

Regards,



Ziegler, Lauren 7/10 10:50 AM

You could, though you may want to just distribute as the letter specifies (i.e. email to Dr. Ivers and then ccs to the specified email addresses)

That way, all recipients know and can see who has received it on the same correspondence